

Senate Bill No. 352

Passed the Senate September 7, 2005

Secretary of the Senate

Passed the Assembly August 31, 2005

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day
of _____, 2005, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to add and repeal Article 4.8 (commencing with Section 44518) of Chapter 3 of Part 25 of the Education Code, relating to employee training programs, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 352, Scott. Chief Business Officer Training Program.

Existing law establishes various training programs for employees of school districts.

This bill would establish, within the State Department of Education, the Chief Business Officer Training Program, to be administered by the Superintendent of Public Instruction, with the approval of the State Board of Education.

The bill would authorize the Superintendent to award funding to school districts and to county offices of education, to provide eligible candidates, as defined, with instruction and training in the areas of school finance, school operations, and leadership. The bill would authorize the Superintendent to award funding to a school district or to a county office of education that has submitted an application, as specified, to the department.

The bill would require the state board, by September 15, 2005, to commence the process of developing rigorous criteria for the approval of state-qualified training providers, and to establish an application process for training providers, with certain requirements.

The bill would require the department, by July 1, 2007, to develop, subject to the review and approval of the state board, an interim report for submission to the Legislature regarding the status of the program established pursuant to this measure, as specified, and would require the state board to submit the report to the Legislature no later than September 30, 2007. The bill would require the department, by June 30, 2008, to develop, subject to the review and approval of the state board, a final report for submission to the Legislature regarding the status of the program established pursuant to the bill, as specified, and would require the state board to submit the report to the Legislature no later than August 31, 2008.

The bill would provide that its provisions are to become inoperative on July 1, 2009, and are repealed as of January 1, 2010.

This bill would declare that it is to take effect immediately as an urgency statute.

The people of the State of California do enact as follows:

SECTION 1. Article 4.8 (commencing with Section 44518) is added to Chapter 3 of Part 25 of the Education Code, to read:

Article 4.8. Chief Business Officer Training Program

44518. (a) This article shall be known and may be cited as the Chief Business Officer Training Program.

(b) For purposes of this article, “eligible training candidate” means a person who is employed on a full-time basis as a chief business or financial officer by a school district or county office of education, or who is nominated as a candidate for training by a district or a county office of education.

44518.1. The Chief Business Officer Training Program is hereby created within the department and shall be administered by the Superintendent, with the approval of the State Board of Education.

44518.2. The Superintendent shall award incentive funding to school districts and to county offices of education, upon the appropriation of funds by the Legislature for purposes of this article, to provide eligible training candidates with instruction and training in areas including, but not limited to, all of the following:

(a) School finance, including revenue projection, cashflow management, budget development, financial reporting, monitoring controls, and average daily attendance projections and accounting.

(b) School operations, including matters relating to facilities, maintenance, transportation, food services, collective bargaining, risk management, and purchasing.

(c) Leadership, including organizational dynamics, communication, facilitation, and presentation.

44518.3. (a) In order to qualify for and to receive incentive funding for purposes of this article, a school district or county office of education shall submit to the department an application to participate in the Chief Business Officer Training Program.

(b) The application shall include a provision of assurance by the school district or county office of education that any eligible training candidate who participates in the program has committed to provide no less than two years of continuous service to a state public school following completion of the training.

(c) The application shall identify the state-qualified training provider approved pursuant to Section 44518.5 that will provide the training.

(d) The State Board of Education shall approve or disapprove applications submitted pursuant to subdivision (a).

44518.4. A school district or county office of education that receives funding pursuant to this article shall use a state-qualified training provider that has been approved by the State Board of Education.

44518.5. (a) By September 15, 2005, the State Board of Education shall commence the process of developing rigorous criteria for the approval of state-qualified training providers. The state board shall develop the criteria in consultation with the Fiscal Crisis and Management Assistance Team, the department, and, at the discretion of the state board, any other individual or group with expertise in the areas set forth in subdivisions (a) to (c), inclusive, of Section 44518.2.

(b) The State Board of Education shall establish an application process by which public agencies and private organizations may submit proposals to become state-qualified training providers. The process shall include, but not be limited to, a demonstration that the agency or organization is able to deliver a training program that meets the criteria developed pursuant to subdivision (a).

(c) The State Board of Education shall approve or disapprove applications submitted pursuant to subdivision (b).

44518.6. A training program offered pursuant to this article shall be conducted for no fewer than 200 hours, a minimum of 40 hours of which shall involve intensive individualized support and professional development in the areas specified in subdivisions (a) to (c), inclusive, of Section 44518.2. The 40 hours of

intensive individualized support and professional development shall be completed within a period of up to two years after the date the training commences.

44518.7. Funding provided pursuant to this article is intended to serve 350 eligible training candidates per fiscal year. Priority for enrollment shall be given to eligible training candidates from districts that are currently operating with a state-appointed administrator or trustee, or from districts that have received a negative or qualified budget certification within the past five fiscal years.

44518.8. (a) Funding allocated for purposes of this article shall equal three thousand dollars (\$3,000) per eligible training candidate. This funding shall be allocated to a qualified school district or county office of education as follows:

(1) Fifty percent of the authorized funding shall be provided no later than 45 days after the approval of the application.

(2) Fifty percent of the authorized funding shall be provided upon verification of the successful completion of training by the approved candidates.

(b) If it is determined pursuant to an audit that a participating school district or county office of education did not provide training as described in Sections 44518.2 and 44518.7 to an eligible training candidate for whom it received funding, the Superintendent shall withhold from the next principal apportionment to the school district or county office of education the sum of three thousand dollars (\$3,000) or the amount actually received, whichever is less, for each eligible training candidate who did not receive the training.

(c) The State Board of Education shall establish a procedure and criteria for school districts and county offices of education to appeal to the board the finding of an audit pursuant to this article. The state board may reduce or eliminate the amount to be withheld pursuant to subdivision (b) based on that appeal.

44519. By July 1, 2007, the department shall develop, subject to review and approval by the State Board of Education, an interim report for submission to the Legislature regarding the status of the program established pursuant to this article. The state board shall submit the interim report to the Legislature no later than September 30, 2007. The interim report shall, at a minimum, include detailed information as to all of the following:

(a) The number of eligible training candidates who received training offered pursuant to this article.

(b) The entities that received funds for the purpose of offering training pursuant to this article, and the number of eligible training candidates that each entity trained.

(c) The number of eligible training candidates that participated in training pursuant to this article who were employed as a chief business or financial officer in a school district or county office of education and the number of those candidates who were not employed as a chief business or financial officer in a school district or county office of education.

(d) Data regarding the budget certification status of each school district and county office of education participating in the program, and identification of each school district and county office of education with negative or qualified budget certifications that did not receive training.

(e) Information detailing the employment and retention status of eligible training candidates who participated in training pursuant to this article.

(f) Identification of the core competencies that should, at a minimum, be included as part of a state-administered chief business officer certification.

44519.1. By June 30, 2008, the department shall develop, subject to review and approval by the State Board of Education, a final report for submission to the Legislature regarding the program established pursuant to this article. The state board shall submit the final report to the Legislature no later than August 31, 2008. The final report shall, at a minimum, include detailed information as to all of the following:

(a) The number of eligible training candidates who received training offered pursuant to this article.

(b) The entities that received funds for the purpose of offering training pursuant to this article and the number of eligible training candidates that each trained.

(c) Data regarding the budget certification status for each school district and county office of education whose eligible training candidate attended the training, and identification of each school district and county office of education with negative or qualified budget certifications whose eligible training candidate did not receive the training.

(d) Survey data concerning program effectiveness that has been gathered from program participants.

(e) Information detailing the employment and retention status of eligible training candidates who participated in training offered pursuant to this article.

44519.2. This article shall become inoperative on July 1, 2009, and, as of January 1, 2010, is repealed, unless a later enacted statute that becomes operative on or before January 1, 2010, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to ensure that those responsible for the business and financial matters of school districts or county offices of education are properly trained and qualified at the earliest possible time, and that rigorous criteria for the approval of state-qualified training providers are established at the earliest possible time, it is necessary that this act take effect immediately.

Approved _____, 2005

Governor